

ROBERT J. VIZAS (SBN 56187)
 JULIE B. ROTTENBERG (SBN 169607)
 JENNIFER L. CUMMINGS (SBN 208115)
 ARNOLD & PORTER LLP
 90 New Montgomery Street, Suite 600
 San Francisco, CA 94105
 Telephone: (415) 356-3000
 Facsimile: (415) 356-3099
 E-Mail: julie_rottenberg@aporter.com

Attorneys for Defendant
 Visa U.S.A. Inc.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

RANDALL JASPERSON d/b/a JASPERSON)
 SOD SERVICE, on behalf of himself and all)
 others similarly situated,)

Plaintiffs,)

v.)

VISA U.S.A., INC. and MASTERCARD
 INTERNATIONAL, INC.,)

Defendants.)

Case No. C05-2996 MMC

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND TIME OF ALL
 DEFENDANTS TO MOVE, ANSWER,
 OR OTHERWISE RESPOND TO
 COMPLAINT, AND CONTINUE ALL
 OTHER PRETRIAL DEADLINES**

CIVIL LOCAL RULE 6-2

Date: N/A
 Time: N/A

The Honorable Maxine M. Chesney

Plaintiff Randall Jasperson d/b/a Jasperson Sod Service ("Plaintiff"), and Defendants Visa U.S.A. Inc. ("Visa"), and MasterCard International Incorporated ("MasterCard"), through their respective counsel, stipulate, pursuant to Civil Local Rule 6-2, to extend the time for all defendants to move, answer, or otherwise respond to the complaint, and to continue all other pretrial deadlines in the above-captioned action. Defendants Visa and MasterCard are collectively referred to herein as "Defendants." In support of this request, Plaintiff and Defendants stipulate as follows:

WHEREAS, on July 26, 2005, plaintiffs in another case pending in this Court filed a Motion for Transfer Under 28 U.S.C. § 1407 Before the Judicial Panel on Multidistrict Litigation, seeking

1 to create a new MDL proceeding in this Court and coordinate both cases pending in this Court with
2 a case pending in the Northern District of Georgia;

3 WHEREAS, on July 29, 2005, Defendants, together with additional defendants named in
4 similar cases not before this Court, filed a separate Motion for Transfer Under 28 U.S.C. § 1407
5 Before the Judicial Panel on Multidistrict Litigation, seeking to transfer this case, along with 13
6 others pending in four district courts across the country, to the Northern District of Georgia, and
7 create a new MDL proceeding;

8 WHEREAS, Defendants oppose plaintiffs' Motion for Transfer;

9 WHEREAS, Plaintiff opposes Defendants' Motion for Transfer;

10 WHEREAS, Plaintiff and Defendants would like to minimize the burdens on the parties and
11 this Court through an extension of all deadlines in this action until final resolution of the Motions
12 for Transfer by the Judicial Panel on Multidistrict Litigation;

13 WHEREAS, one previous extension has been granted in this case until September 8, 2005
14 for Defendants to move, answer or otherwise respond; and

15 WHEREAS, Plaintiff and Defendants agree that this Joint Stipulation is submitted without
16 prejudice to, or waiver of, any defenses that Defendants may have to this action;

17 NOW THEREFORE, the Parties hereby stipulate and agree as follows:

18 1. To the extent that any served or subsequently served defendant is required to move,
19 answer, or otherwise respond to the complaint in this action, the deadline for doing so shall be 60
20 days after an order from the Clerk of the Judicial Panel on Multidistrict Litigation deciding the
21 pending, as well as any subsequently filed, Motions for Transfer. If the Clerk of the Judicial Panel
22 on Multidistrict Litigation issues separate orders on different days with respect to the Motions for
23 Transfer, the date of the latest order will control.

24 2. All other pretrial deadlines, including the time period in which to conduct the
25 parties' planning conference under Federal Rule of Civil Procedure 26(f), shall be continued in this
26 action until 60 days after:

27 (i) an order from the Clerk of the Judicial Panel on Multidistrict Litigation
28 transferring this action to another District Court is filed with the Clerk of the

Northern District of California pursuant to Rule 1.5 of the Rules of Procedure for the Judicial Panel on Multidistrict Litigation, thereby effecting transfer; or

(ii) an order from the Clerk of the Judicial Panel on Multidistrict Litigation creating an MDL proceeding in the Northern District of California, and coordinating this case therewith, is filed with the Clerk of the Northern District of California pursuant to Rule 1.5 of the Rules of Procedure for the Judicial Panel on Multidistrict Litigation; or

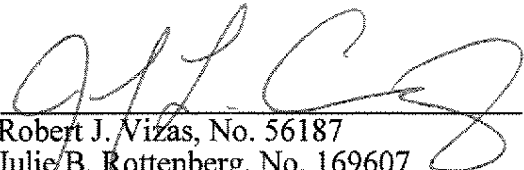
(iii) the Judicial Panel on Multidistrict Litigation issues an order or orders denying all Motions for Transfer (if all motions are denied, but in separate orders not issued on the same day, the date of the later order will control).

1 SO STIPULATED:

ARNOLD & PORTER LLP

2 Dated: September 6, 2005

3 By:


Robert J. Vizas, No. 56187
Julie B. Rottenberg, No. 169607
Jennifer L. Cummings, No. 208115
90 New Montgomery Street, Suite 600
San Francisco, CA 94105
Tel: 415-356-3000
Fax: 415-356-3099

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5
6
7
8
9
10 David P. Gersch
11 Mark R. Merley
12 ARNOLD & PORTER LLP
13 555 12th Street, N.W.
14 Washington, D.C. 20004
15 Tel: 202-942-5000
16 Fax: 202-942-5999
17
18 Attorneys for Defendant Visa U.S.A. Inc.
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23
24
25
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1 SO STIPULATED:

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3 Dated: September 2, 2005

SHEPPARD MULLIN RICHTER &
HAMPTON LLP

4 By: 

Gary L. Halling, No. 66087
Michael W. Scarborough No. 203524
Four Embarcadero Center,
Seventeenth Floor
San Francisco, CA 94111
Tel: 415-434-9100
Fax: 415-434-3947

5
6
7
8 Kenneth A. Gallo
Patricia C. Crowley
9 PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP
10 1615 L Street, N.W.
Washington, D.C. 20036-5694
11 Tel: 202-223-7300
12 Fax: 202-223-7420

13 Jay Cohen
14 Gary R. Carney
PAUL, WEISS, RIFKIND,
15 WHARTON & GARRISON LLP
1285 Avenue of the Americas
16 New York, NY 10019-6064
Tel: 212-373-3051
17 Fax: 212-492-0051

18 Keila D. Ravelo
Wesley R. Powell, No.230430
19 HUNTON & WILLIAMS LLP
200 Park Avenue
New York, New York 10166
20 Tel: 212-309-1000
21 Fax: 212-309-1100

22 Attorneys for Defendant MasterCard
International Incorporated
23
24
25
26
27
28

1 SO STIPULATED:

MARKUN ZUSMAN & COMPTON, LLP

2 Dated: September 2, 2005

3 By: 

4 David S. Markun, No. 108067
5 Edward S. Zusman, No. 154366
6 Kevin K. Eng, No. 209036
7 465 California Street, Suite 500
8 San Francisco, CA 94104
9 Tel: 415-438-4515
10 Fax: 415-434-4505

11 Karl Cambronne
12 CHESTNUT & CAMBRONNE
13 3700 Mithum Tower
14 222 South Ninth Street
15 Minneapolis, MN 55402

16 Attorneys for Plaintiff

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18 Dated: September 7, 2005

19 
20 Hon. Maxine M. Chesney